

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Kight, et al. ) Appeal No.: 2005-2734  
Serial No. 09/540,011 ) Art Unit: 3625  
Filed: March 31, 2000 ) Examiner: Yogesh C. Garg  
For: Bill Payment System and Method )  
With a Master Merchant Database )

## **INTENTION TO WITHDRAW APPEAL**

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Applicants hereby notify the Board of Patent Appeals and Interferences of their intention to withdraw the present application from appeal (Appeal No. 2005-2734) by the filing of a request for continued reexamination under 37 CFR § 1.17(e) to continue prosecution of the application. Attached is a copy of the filed RCE with confirmation that it was filed electronically with the United States Patent and Trademark Office on this date. This notification is made to avoid the rendering of a decision by the Board pursuant to MPEP § 1215.01.

Respectfully submitted,

Rhett S. White  
Attorney for Applicants  
Reg. No. 59,158

**Date: March 8, 2007**  
SUTHERLAND ASBILL & BRENNAN LLP  
999 Peachtree Street, NE  
Atlanta, Georgia 30309  
Telephone: 404-853-8000  
Facsimile: 404-853-8806

Attorney Docket No. 23952-0051